

REMARKS

Reconsideration of the application is respectfully requested.

Claims 1-10 are currently pending in this application. As indicated above, Claims 1 and 4-10 have been amended, and Claim 11 has been cancelled. It is gratefully acknowledged that the Examiner has found allowable subject matter in Claims 6, 7, and 10.

In the Office Action, all pending claims, specifically, Claims 1-10, were rejected. Particularly, Claims 4-7 and 10 were rejected under 35 U.S.C. 112, second paragraph, Claims 1, 8, and 9 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Bottum* (U.S. 6,104,569) in view of *Higuchi et al.* (U.S. 6,275,690), and Claims 2-4 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Bottum* in view of *Higuchi*, and in further view of *Toba* (U.S. 6,374,125), *Nelson* (U.S. 6,061,718), and *Sainton et al.* (U.S. 6,132,453).

With regards to the rejections of Claims 4-7 and 10 under 35 U.S.C. 112, second paragraph, the Examiner states that the term "one or both of bell and vibration mode" is indefinite. As indicated above, Claims 4-7 and 10 have been amended and are now believed to overcome this rejection.

With regards to rejected independent Claims 1, 8, and 9, Claims 1, 8, and 9 have been amended to include the allowable subject matter cited by the Examiner, which is "when each of plurality of mode selecting keys is depressed while a predetermined audio output mode is selected by manipulation of the audio output key to control the data read out from the memory and the audio data read out from the audio memory so that the audio data is outputted as a voice through the audio processing section and the speaker." Therefore, it is respectfully requested that the Examiner withdraw the rejections of Claims 1, 8, and 9 under 35 U.S.C. 103(a) as allegedly being unpatentable over *Bottum* in view of *Higuchi*.

As it is believed that the above arguments and amendments place independent Claims 1, 6, 8, 9, and 10 in condition for allowance, then, at least because of their dependence on these claims, respectively, it is respectfully submitted that dependent Claims 2-5 and 7 will also be in condition for allowance.

In view of the preceding amendment and remarks, it is respectfully submitted that all pending claims, namely, Claims 1-10, are in condition for allowance. Should the Examiner believe

that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell". The signature is fluid and cursive, with the first name "Paul" and last name "Farrell" clearly distinguishable.

Paul J. Farrell

Reg. No. 33,494

Attorney for Applicant

DILWORTH & BARRESE, LLP
333 Earle Ovington Boulevard
Uniondale, NY 11553
(516) 228-8484
PJF/DMO/lah